

Appl. No. 10/643,018
Amendment dated July 29, 2005
Reply to Final Office Action of March 29, 2004

Support for Amendment

Claims 1 has been amended as seen in the Amendments to the Claims section of this paper. Claim 29 has been canceled as seen in the Amendments to the Claims section of this paper.

The amendment to claim 1 is supported by, for example, page 11, lines 19-20 of the Specification. This sentence supports claim 1, which recites a polyethylene glycol having a molecular weight of about 1000 or 100,000.

Claims 26, 31, and 33 have been amended to remove the recitation of "hardening agent." These amendments were made to conform with claim 25, in which Applicants removed the term "hardening agent."

Claim 49 has been added. This claim is supported in the specification at least at page 6, lines 27-29.

No new matter is introduced by this amendment, and entry thereof is requested. Upon entry, claims 25-28 and 30-49 are active in this application.

Appl. No. 10/643,018
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REMARKS

The Office Action mailed March 29, 2005, has been received and the Examiner's comments reviewed. Claims 25, 26, 31, and 32 have been amended. Claim 29 has been canceled without prejudice or disclaimer. Claim 49 has been added. No new matter has been added. Claims 25-28 and 30-49 are currently pending. Applicants respectfully submit that the pending claims are in condition for allowance.

Claim Rejections – Addison et al.

The Office Action rejects claims 25-31 and 33-48 under 35 U.S.C. § 103 as obvious over Addison et al. (US 5,801,137). For the following reasons, the rejected claims would not have been obvious in view of this reference.

As amended, independent claim 25 recites, among other things, a solid block cleaning composition that comprises an "effective hardening amount of polyethylene glycol having a molecular weight of between 1,000 and 100,000." This hardening agent "contributes to the uniform solidification of the composition" (page 10, lines 12-13). This hardening agent is "capable of forming a homogenous matrix with the cleaning agent and other ingredients when mixed" (page 10, lines 17-20). Addison et al. fail to sufficiently disclose or suggest a solid detergent comprising a polyethylene glycol hardening agent with a molecular weight of between 1,000 and 100,000.

While Addison et al. mention polyethylene glycol, it is not mentioned as a hardening agent. Addison et al. disclose the use of propylene glycol as an organic polymeric compound used as a dispersant, anti-redeposition and soil suspension agent (col. 6 lines 29-32 and 59-61). In fact, Addison et al. do not teach or suggest use of any hardening agent, let alone a polypropylene glycol hardening agent with a molecular weight between 1,000 and 100,000. As there is no suggestion or motivation to employ a hardening agent comprising polyethylene glycol

Appl. No. 10/643,018
Amendment dated July 29, 2005
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with a molecular weight of between 1,000 and 100,000, there is no *prima facie* case of obviousness.

Addison et al. fail to teach or suggest the creation of a solid block cleaning composition as recited by claim 25 and discussed in the Specification. The presently claimed invention recites a solid block cleaning composition. This block is not formed through compression alone or in the case of a tablet, but through a heating and extrusion process. The hardening agent forms a matrix with the cleaning agents and other ingredients and "hardens to a solid form under ambient temperatures of about 30 to 50° C" (page 10, lines 32-33, page 11, line 1). The composition is mixed and then discharged from the mixing system by casting into a mold or other container or by extruding the mixture (page 17, lines 28-29).

In contrast, Addison et al. teach or suggest a detergent composition designed for use in automatic dishwasher machines (col. 1, line 11). This composition may be formulated as "powders, tablets, granulates, pastes, liquids and gels" (col. 19, lines 40-42). Addison et al. do not disclose making these powders, tablets, or granulates, by extrusion or casting. Addison et al. only disclose that "granular detergent compositions...can be made via a variety of methods including dry mixing, spray drying, agglomeration and granulation" (col. 20, lines 4-7). Discussion of the formation of a granular powder does not teach or disclose the formation of a solid block through use of a hardening agent matrix and extrusion or casting. Again, there is no *prima facie* case of obviousness.

In view of the above comments, one having ordinary skill in the art would not have received the suggestion to prepare a composition according to the present invention from the disclosure of Addison et al. For at least these reasons, independent claim 1 and its dependents are believed to be patentable over the teachings of Addison et al., and Applicants respectfully request withdrawal of these § 103(a) rejections.

Claim Rejection – Addison et al. in view of Rolando et al.

The Office Action rejects claim 32 under 35 U.S.C. § 103(a) as obvious over Addison et al. in view of Rolando et al. (5,876,514).

Appl. No. 10/643,018
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In reference to the rejection of claim 32, the combination of these two references also fails to suggest claim 32 is obvious. The arguments addressing the inapplicability of Addison et al. have been discussed. The shortcomings of Addison et al. are not remedied by Rolando et al.

In particular, Rolando et al. fail to teach or suggest a solid block cleaning composition that utilizes polyethylene glycol with a molecular weight of 1,000 to 100,000. The Office action admits this because claim 29, now incorporated into claim 25 as amended, was not rejected under this reference. Claim 32 depends from claim 25, which as amended recites a cleaning composition with polyethylene glycol having a molecular weight of 1,000 to 100,000. In conclusion, either alone or in combination, these references cannot provide a basis for a § 103(a) rejection for claim 32.

In view of the above comments, withdrawal of these rejections are requested.

Double Patenting Rejection – US 6,387,870

The Office Action rejects claims 25-48 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-22 of U.S. Patent No. 6,387,870 (the '870 patent).

The present claims are not obvious over the '870 patent because the present claims recite elements claims 1-22 of the '870 patent do not. Claim 25 recites "a deterative amount of alcohol alkoxylate." This recitation is not present in the '870 patent. Therefore, because claim 25 recites an element that claims 1-22 of the '870 patent lack, the present claims are not obvious over the '870 patent.

In addition, claim 1 of the '870 patent requires "an effective deterative amount of an nonionic surfactant comprising a fatty acid amide" (col. 22, claim 1). Thus, claim 1 and its dependents require the presence of a fatty acid amide. In contrast, the present claims do not require the presence of a fatty acid amide. Because the composition disclosed in claims 1-22 of the '870 patent requires a limitation not present in claims 25-48, the presently claimed invention is distinct from the '870 patent. The presently claimed invention is not obvious over the '870 patent.

For the foregoing reasons, withdrawal of this rejection is requested.

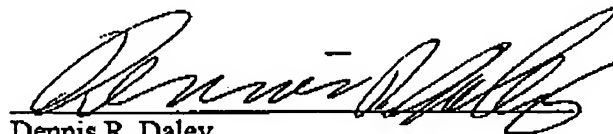
Appl. No. 10/643,018
Amendment dated July 29, 2005
Reply to Final Office Action of March 29, 2004

It is believed that this application is in condition for allowance. Early notice to this effect is earnestly solicited.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

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Dennis R. Daley
Reg. No. 34,994
DRD/HJK

